

Washington County Land Use Authority Meeting September 11, 2012

The Washington County Land Use Authority Meeting was held Tuesday, September 11, 2012 in the Council Chambers of the Washington County Administration Building located at 197 E. Tabernacle, St. George, UT. The meeting was convened at 1:30 p.m. by Chairman Doug Wilson.

Commissioners present: Dave Everett, Mike Stucki, JoAnn Balen, Kim Ford, and Rick Jones.

Excused: Debora Christopher and Julie Cropper (alternate).

Staff present: Deon Goheen, Planning & Zoning Administrator; Eric Clarke, and Jodi Borgeson, Deputy County Attorneys; Doreen Bowers-Irons, Planning Secretary; Kurt Gardner, Building Official; Todd Edwards, County Engineer; Kim Hafen, County Clerk.

Chairman Wilson welcomed and thanked everyone for attending. He asked that cell phones be turned off. He led the Pledge of Allegiance after which, he explained meeting protocol.

I. STAFF COMMENTS. Review staff comments for each item listed below; Staff initiated.

II. ROCKVILLE WAGON TRAIN (150TH SESQUICENTENNIAL) EVENT. Review wagon train route leaving Kanab area October 8, 2012 going to Coral Pink Park, Cane Beds, Colorado/Centennial Cities, Apple Valley, Grafton, and arriving in Rockville on Friday, October 12, 2012; Joel Murphy/Utah Western Heritage Foundation and Leon Gubler, agents

The planner reported no action is needed on this item. The Staff reviewed the event and determined this is inline with what the St. George City Officials had done with the Sesquicentennial event and the County Commission had given their blessing on that particular event. It is on this agenda to make the Commission aware of the travels through the County unincorporated areas, camp locations and time line for the events.

Leon Gubler informed the commission of the details of the event. He asked if there were any questions.

Commissioner Ford asked about the route which Mr. Gubler explained in some detail. He noted Springville would like to make this an annual event.

Mr. Gubler provided a compiled photo album of the previous wagon train event and gave a short presentation it. He and the commission discussed the upcoming wagon train its trek.

III. CONDITIONAL USE PERMIT EXTENSION REVIEW. Review of Motocross and ATV Track within the OST-20 zone, containing 20 acres, a portion of Section 15, T39S, R16W, SLB&M, generally located east of Hwy. 18 on North Baker Lake Road and 300 East in Central; Gary Simonson, agent/Robert and Mary Houston, applicants. (*Tabled August 14, 2012*)

The planner reported this item was to be addressed by the County Commission for their Labor Day event and they removed it from their agenda. Previously, this item was granted permanent status on June 14, 2011, although, with two events being held on two weekends in June, the planning office received several complaints on noise, dust, motor homes, and travel trailers spending the weekend and no EMS service at the track. At the last meeting, the planning commission asked the applicant to provide an updated site plan and show the boundaries of their property, adhere to all Federal and State regulations on stream crossings, and comply with previous requirements of the planning commission approval. There are some WORCS-YouTube.htm/On the Edge, Round 6 & 7 Central, UT (4 videos) that can be viewed.

Gary Simonson representing the Motocross/ATV track addressed the Commission.

The staff, commission, and applicant, discussed the expansion of the track at length. The discussion included having an onsite ambulance, major and minor modifications of the track and its area, the expansion of the area, insurance, and how the land would be utilized for events.

Mr. Simonson agreed to comply with the original conditions of the permit and he would submit a letter to the planning department to modify permit application to include the acreage of the property.

The County Attorney advised Mr. Simonson to contact the Health Department regarding a mass gathering permit. Mr. Simonson stated he would contact them for information.

The commission discussed and made the following findings of fact:

- The request does not change the use;
- All of the original conditions will be carried forward;
- The land is under one ownership;
- The acreage used has expanded and will be enumerated in a written document submitted by the applicant and attached to a site plan;
- The liability insurance policy includes all of the property that will be in use.

Motion: Commissioner Stucki MOVED to recommend the Conditional Use Permit continue with the requirement subject to receipt of a written request by the applicant to expand the acreage used in accordance with the following facts and findings:

- **The request does not change the use;**
- **All of the original conditions will be carried forward;**
- **Land is under one ownership;**
- **The expanded acreage used has expanded and will be enumerated in a written document submitted by the applicant and attached to a site plan;**
- **The liability insurance policy includes all of the property that will be in use.**

Also, that they meet all regulatory conditions and the previous findings of facts and conditions imposed. Commissioner Balen SECONDED. Chairman Wilson called for a discussion on the motion. There was none. The motion carried with all five (5) Commissioners voting in favor.

This item will go to the County Commission on September 18, 2012.

IV. CONDITIONAL USE PERMIT EXTENSION REVIEW. Review request for permission for an endurance mountain bike race, "Frog Hollow Event", on Sheep Bridge Road, generally located between Virgin and Hwy. 59, east of Hurricane, on October 13, 2012, a 6 hour event; and on November 3rd and 4th, 2012, a 24 hour event, a portion within the County Unincorporated area; GRO-Promotions, LLC/Cimarron Chacon, applicants.

The Planner reported this is the third extension review at this location. There is just a small portion of the trails within the county unincorporated area with the events location within Virgin Town Limits. The event will be along the Sheep Bridge Road. This event is sponsored by GRO-Promotions for endurance mountain bike racing and will host both a 24 hour and 6 hour race on a 13 mile course. The 6 hour race will be held on October 13, 2012 from 9 am to 3 pm, with post race events in Hurricane Community Park. The 24-hour race will begin at 10:00 am on Saturday and end at 10:00 am on Sunday. These types of events are reviewed conditionally at a public meeting to ensure that citizens have the opportunity to comment on the application (*County Code 10-18-2 (amended 2008)*). The applicant will have a liability insurance policy in place, listing Washington County, BLM, Hurricane City, and Virgin Town as a beneficiary. They are expecting 130 – 24 hour Event Teams and a total number of 500 people to host. Porta Potties will be based on the numbers in attendance. The applicant holds a 10 year permit with BLM for this activity. No permit is required by SITLA.

The sheriff's office is working with the applicant to provide deputy services for the event and cell phones will allow for communication to emergency response with Hurricane as the provider.

Cimarron Chacon addressed the commission and explained the event and how it would take place. The BLM permit was issued for 10 years. She reported on the participants and how the event has evolved through the years. There will be vendors. She reported on numbers of participants and the revenue they bring to the County. She stated a film crew will be filming the event as a documentary for an upcoming TV program, which they are excited about. She asked if there were any questions.

The commission had some positive comments regarding the event and a few minor questions for clarification that Ms. Chacon answered. A discussion on last year's event also took place.

Motion: Commissioner Balen MOVED to recommend the County Commission approve the Conditional Use Permit Extension for an endurance bike race, "Frog Hollow Event" on Sheep Lane Road generally located between Virgin and Hwy. 59, east of Hurricane, on October 13, 2012, a 6 hour event and the 24 hour event that will be held on November 3 & 4, 2012 a portion within the County Unincorporated area for one (1) year; GRO-Promotions, LLC/Cimarron Chacon, applicant. Commissioner Ford SECONDED. Chairman Wilson called for discussion on the motion. There was none and the motion carried with all five (5) voting in favor.

This item will go to the County Commission on September 18, 2012.

V. CONDITIONAL USE PERMIT EXTENSION REVIEW. Review extension on a sales office for the Kolob Ranch Development on the west side of the freeway at the Kolob Exit off Interstate-15; Kolob Development, Inc./Robert Anderson, applicants.

The planner said this use has been reviewed annually since 1990, and runs with the development, until the lots are sold as it is a project sales office (*County Code 10-14-11:A*). The manager was invited to attend the meetings previously and the owner assured staff that he would personally be in attendance for an update on the improvement and a time line on lot sales.

The commission discussed the length of time this conditional use permit has been in effect.

No one was in attendance for this item. The commission discussed whether to approve or table. They chose to move forward with approval

Motion: Commissioner Balen MOVED to recommend the County Commission approve the Conditional Use Permit Extension on a sales office for the Kolob Ranch Development on the west side of the freeway at the Kolob Exit off Interstate-15 for one (1) year; Kolob Development, Inc./Robert Anderson, applicant. Commissioner Stucki SECONDED. Chairman Wilson called for discussion on the motion. There was none and the motion carried with all five (5) voting in favor.

This item will go to the County Commission on September 18, 2012.

VI. CONDITIONAL USE PERMIT EXTENSION REVIEW. Review request for permission to locate equipment, an office trailer, and porta-potties near an approved staging area for a pipe storage yard for the UNEV Pipeline on 2 acres of the Bowler Arena property in Veyo; Carl Bowler, owner/lessee and C & A Construction/Gary Jordan, applicants.

The Planner reported the equipment for the UNEV storage yard, office trailer, etc., have been removed. Mr. Bowler is using the property for his own use and parking his own vehicles on the site and therefore the request is being withdrawn

No action was taken and the conditional use permit expired.

VII. CONDITIONAL USE PERMIT EXTENSION REVIEW. Review request for permission to install a proposed 100' lattice tower within the OST-20 zone, on BLM land adjacent to the Rocky Mountain Power Substation south of Dammeron Valley; SBA Communication Corp., applicant.

The planner stated no one from SBA Communications was able to attend this meeting as they were located in Florida. Communication towers are conditionally approved within the OSC-20 zone. Previously, the applicant submitted the site location plan and a drawing of the tower. The 100' lattice tower meets the height requirement of the ordinance (*County Code 10-21-2.C*). There is a requirement for collocation and accessory equipment shelters will be reviewed. This application meets the requirement for a "lattice type" tower and there may be no need for a "fall" zone to be created, as this tower is located far enough away from the substation on the adjacent property. This is BLM land, with the leased area being 50'x50' and the tower being centrally located. A building permit was issued (#6314) and a final inspection was made on October 18, 2011.

Kurt Gardner , Building Official informed the commission that the tower was completed and there was no issue with a "fall zone".

The commission discussed the tower and whether to table or move forward with the request. They opted to move forward and approve the use on a permanent status due to the project being completed and up and running.

Motion: Commissioner Everett **MOVED** to recommend the County Commission approve the Conditional Use Permit Extension for permission to install a proposed 100' lattice tower within the OST-20 zone, on BLM land adjacent to the Rocky Mountain Power Substation south of Dammeron Valley on a permanent basis; SBA Communication Corp., applicant. Commissioner Balen **SECONDED**. Chairman Wilson called for discussion on the motion. There was none and the motion carried with all five (5) Commissioners voting in favor.

This item will go to the County Commission on September 18, 2012.

VIII. CONDITIONAL USE PERMIT EXTENSION REVIEW. Review request for permission to install a proposed 100' lattice tower within the RA-1 zone, on 1 acre of land owned by Theresa Haury (Robert Tripp), in Veyo; Debbie Adams DePompei/Intellisites, applicants.

The planner stated communication towers are conditionally approved within the RA-1 zone. Previously, the applicant has resubmitted this application for review and submitted the site location plan and a drawing of the tower. The 100' lattice tower meets the height requirement of the ordinance (*County Code 10-21-2.C*). There is a requirement for collocation and accessory equipment shelters to be reviewed. This application meets the requirement for a "lattice type" tower and there may be no need for a "fall" zone to be created, as this tower is located far enough away from water tanks on the adjacent property and Ag/Manufacturing Bldg on private property, with the leased area being 30'x40' and the tower being centrally located. No building permit has been issued and the property has a new lessee.

A discussion took place on whether or not the Conditional Use Permit had expired.

Debbie DePompei stated the original lease with the property owner expired. Intellisites recently entered into a lease agreement with the property owner Robert Tripp. The property was owned by Mr. Tripp and his wife. They got divorced and Mr. Tripp received the property as part of the settlement. Atlas Tower did not renew

their lease and Intellisites leased the property and are proposing to build the exact same tower originally approved with this conditional use permit. We are working on due diligence and would like to get the tower up as soon as possible.

Commissioner Balen asked if it was necessary to have this tower this close to the tower located in Dammeron Valley. Ms DePompei answered it was because the tower in Dammeron Valley cannot cover Veyo with the terrain. She explained how towers work by line of site and radius'.

Commissioner Everett asked about the names on the application and if the permit were to be extended, it would be with Atlas and not Intellisites. The planner answered Mr. Everett indicating that the permit is granted to the land and not necessarily the applicant. We are reviewing the extension for a tower on the land. Towers are bought and sold constantly; therefore, the permit goes with the land and tower.

Commissioner Stucki concurred with Commissioner Everett and felt the name should be changed on the permit.

A discussion regarding the name being on the conditional use permit and if they should be able to extend the permit or require a new application to be submitted took place. Mr. Clarke clarified what the commission is looking for to be submitted in order to extend the permit. A decision was made to have the new applicant submit to the Planning Office information on the change of tower owner of who will be constructing and utilizing the tower on the site.

Jerome Gourley, representing Atlas Tower, addressed the commission and reported that Atlas voluntarily allowed the lease to expire. We chose not to pay the additional rent or fees to the landlord. Atlas only paid for option periods. At the end of the second option period Atlas chose not pay additional funds and so the lease automatically expired. It was null and void. Then our friends from Intellisites came in and leased the exact same space. In the process, the Tripp's divorced and the property went out of Laura's hands and into Roberts. It got a little confusing, however, everything is voluntary. There is no collusion or anything out of hand and no animosity to anyone. Things like this happen all the time in this business.

There was a question regarding the conditional use permit and if it had expired. It had not and will not until the end of October. The commission discussed having the applicant submit a new application.

Motion: Commissioner Stucki MOVED to recommend the County Commission approve the Conditional Use Permit Extension for permission to install a proposed 100' lattice tower within the RA-1 zone, on 1 acre of land owned by Robert Tripp, in Veyo for one (1) year subject to an amended application being submitted to the planning department; Debbie Adams DePompei/Intellisites. Commissioner Ford SECONDED. Chairman Wilson called for discussion on the motion. There was none and the motion carried with all five (5) Commissioners voting in favor.

This item will go to the County Commission on September 18, 2012.

IX. CONDITIONAL USE PERMIT EXTENSION REVIEW. Review request for permission to install an equipment building and solar panels within the OST-20 zone on Kolob Mountain; Beehive Telephone Co., applicant.

The planner stated the applicants had contacted the Planning Department to advise us that they could not attend the meeting. They are in Idaho and was not able to have a representative come down. She reported communication and equipment facilities are conditionally approved within the SFR-1 zone. Previously, the applicant submitted the site location plan and a photo of the "like" equipment building. This is WCWCD land and the leased area is 50'x50', with the solar panels being centrally located. The existing building has been replaced (Permit #6316) and a footing inspection was completed on May 30, 2012. The only thing left to be

completed is to remove the existing building and move the solar panels. She suggested extending the permit for one (1) year.

A short discussion for clarification on the solar panels and the new building took place.

Motion: Commissioner Balen **MOVED** to recommend the County Commission approve the Conditional Use Permit Extension, to install an equipment building and solar panels within the OST-20 zone on Kolob Mountain for one (1) year; Beehive Telephone Co., applicant. Commissioner Ford **SECONDED**. Chairman Wilson called for discussion on the motion. There was none and the motion carried with all five (5) Commissioners voting in favor.

This item will go to the County Commission on September 18, 2012.

X. CONDITIONAL USE PERMIT EXTENSION REVIEW. Review request for permission to install a meter building, feeder line, and security chain link fence south of the Texaco Station near the New Harmony Exit off Interstate 15; Questar Gas Company, applicant.

The planner stated this is an automatic annual review. Utilities are conditionally approved within the C-2 zone. Previously, the applicant submitted the site plan and a drawing of the meter building, feeder line, and security 8' chain link fence. The Public Works Department approved their 20' access route to the property. The existing birdcage housing and connections have been removed and the project is complete. The building department cannot find where a building permit was ever issued, so the Questar representative took an application form to update and submit for the building permit process.

Becky Marchal provided additional pictures and expressed appreciation to the commission. She asked if there were any questions. There were none.

Motion: Commissioner Everett **MOVED** to recommend the County Commission approve the Conditional Use Permit Extension to install a meter building, feeder line, and 8' chain link fence within the C-2 zone south of the Texaco station near the New Harmony Exit off Interstate-15; Questar Gas Company/Becky Marchal, applicant on a permanent basis. Commissioner Stucki **SECONDED**. Chairman Wilson called for discussion on the motion. There was none and the motion carried with all five (5) Commissioners voting in favor.

This item will go to the County Commission on September 18, 2012.

XI. DISCUSSION ITEM/ORDINANCE AMENDMENT. Review an amendment to the Land Use Authority and appeals process for the planning review and final decision of the County Commission; County initiated/ Deputy Attorney, Eric Clark.

The planner reported that in recent review of the ordinances appeal process, there is some confusion, so staff is recommending a change to the Land Use Authority, which will make changes to the appeals process. Eric Clarke, Deputy County Attorney will explain those recommended changes.

Eric Clarke, Deputy County Attorney reported on changes that are being considered. He handed out a printout of the ordinance and he and the commission discussed the ordinance and the proposed changes being considered. He will have something at the next meeting for the commission to review.

XII. DISCUSSION ITEM/OPEN MEETING. Review Utah Open and Public Meeting Act; County initiated.

For insurance purposes, the Planning Commission needs to review Utah Open and Public Meeting act each year as a part of an ongoing education program, which will benefit the County. Deputy Attorney Eric Clarke will review this law with the planning commission and answer any questions the commission may have.

Eric Clarke, Deputy County Attorney reviewed the Utah Open and Public Meeting act with the commission.

XIII. STAFF DECISIONS. Review of decisions from the Land Use Authority Staff Meeting held on August 21 and September 04, 2012; County initiated.

The Planner reviewed the decisions of the Land Use Authority Staff Meeting held August 21, and September 04, 2012 as reported below:

ACTIONS OF THE LAND USE AUTHORITY STAFF MEETING
August 21, 2012

The staff meeting convened at 9:30 a.m. Staff Members Present: Deon Goheen, Planning & Zoning Administrator; Kurt Gardner, Building Official; and Todd Edwards, County Engineer.

Excused: Ron Whitehead, Public Works; Eric Clarke, Deputy Civil Attorney; Tina Esplin, Washington County Water Conservancy District; Darwin Hall, Ash Creek Special Service District; Becky Marchal, Questar Preconstruction Specialist; Director Paul Wright, Department of Environmental Quality; and Robert Beers, Southwest Utah Public Health Department.

CONDITIONAL USE PERMITS:

A. Request permission to build an accessory building with a portion being an accessory dwelling (½ bathroom) within the RA-5 zone at Dammeron Valley Meadows, Lot 29 in Dammeron Valley, Utah. Steve Friend, applicant/Kent Farnsworth, agent.

The agent/contractor has submitted a site plan for the conditional use permit on a garage structure, which is located at 315 N. Meadow Drive in Dammeron Valley. The applicant met the requirements for the Conditional Use Permit by submitting a site plan, floor plan, with the stipulation that they were hooking up to the existing septic system and there were no additional bedrooms. Accessory dwellings are conditionally approved within the RA-5 zone. The original site plan met all setback requirements of 25' on all sides and the height requirements of less than 25' for an accessory dwelling. **The staff granted approval of the Conditional Use Permit for a period of one (1) year.**

B. Request permission to build a single family dwelling within the OST-20 zone on Kolob Mountain Victoria Ballard, applicant.

The applicant met the requirements for the Conditional Use Permit by submitting a site plan, deeds of ownership, septic permit from the Southwest Utah Public Health Department (SUPHD), density letter from the Washington County Water Conservancy District (WCWCD), and a culinary water use from a private well showing quantity and quality. Single family dwellings are conditionally approved within the A-20 zone, with this property containing 150 acres plus. The property is accessed from the prescriptive use road off Kolob Road, generally located north of the Kolob Reservoir. The site plan meets all setback requirements of 25' on all sides, rear and front. The Wildland Urban Interface for fire protections would need to be addressed during the permitting process at the staff level. **The staff granted approval of the Conditional Use Permit for the period of one (1) year.**

CONDITIONAL USE EXPANSION REVIEW:

A. Review on Motocross and ATV Track within the OST-20 zone, containing 20 acres, a portion of Section 15, T39S, R16W, SLB&M generally located east of Hwy 18 on North Baker Lake Rd and 300 East in Central. Robert and Mary Houston, applicants and Gary Simonson, agent. (*Tabled August 9, 2012*)

At the August meeting, the planning commission indicated that this should go before the county commission for review of an updated site plan and boundaries of the applicant's property before moving forward with their Labor Day event. The applicant will be responsible for meeting Federal and State requirements for trails and stream crossings along the Santa Clara River. This was up for review on the county commission agenda August 21, 2012 and the commission decided to remove this from their agenda, because there was another controversial item on that same day. **Planning Staff made the determination to grant temporary approval of the scheduled event for the Labor Day weekend, with the applicant meeting site plan requirements and previous conditions set by the planning commission.**

ACTIONS OF THE LAND USE AUTHORITY STAFF MEETING

September 4, 2012

The staff meeting convened at 9:30 a.m. Staff Members Present: Deon Goheen, Planning & Zoning Administrator; Kurt Gardner, Building Official; Todd Edwards, County Engineer. Eric Clarke, Deputy Civil Attorney; Tina Esplin, Washington County Water Conservancy District; Darwin Hall, Ash Creek Special Service District; Becky Marchal, Questar Preconstruction Specialist; Director Paul Wright, Department of Environmental Quality; and Robert Beers, Southwest Utah Public Health Department.

Excused: Ron Whitehead, Public Works.

CONDITIONAL USE PERMIT EXTENSION:

A. Review extension on a single family dwelling within the OST-20 zone, Section 29, T38S, R11W, SLB&M, generally located north of Smith's Mesa on Kanarra Mountain. Terry Wilson, agent and David W. Bauer, applicant. **[Tax ID 1001- B-HV]**

This is the 6th annual review. Last year staff indicated this should be on the tax rolls and at least meet the Wildland Urban Interface for fire protection. The attorney will send a letter and refer to deputy. **(HAS THIS BEEN DONE?)** Previously, the requirements for the Conditional Use Permit have been met by submitting a site plan, septic permit and quantity and quality of the water from springs for culinary use. The property is accessed from Kanarra Mountain in Iron County, then entering the 600 acre parcel on the Washington County boarder. The site plan meets all setback requirements. This area is seasonal in nature, so there are probably 4 months out of the year that an individual could build. The Conservancy District and Dean Cox has reported that construction is taking place, with photographs of a cement slab. Records show that no permit has been issued as yet. If the septic has not been installed, the applicant will need to reapply and Robert Beers indicated he would check Southwest Utah Public Health Department records. Previously, it was determined that the structure was built prior to 2009 after comparing aerial photos with original CUP site plans. **Eric Clarke, Deputy Attorney will check on ordinance violation and planner will report to the Assessors Office to get this ON the tax rolls.**

B. Request permission for a single family dwelling within the OST-20 zone, in the Holt Canyon area east of Enterprise, Utah. Gina G. Hamlin, applicant. **[Tax ID 7070-A-1-A-5]**

This is the 2nd extension and the applicant previously met the requirements for the Conditional Use Permit by submitting a site plan, deeds of ownership, septic permit from the Southwest Utah Public Health Department (SUPHD), and a culinary water use from a private well showing quantity and quality. Single family dwellings are conditionally approved within the OST-20 zone, with this property containing a total of 20 acres. The property is accessed from the Holt Canyon Road, generally located east of Bench Road in the Enterprise area. The site plan met all setback requirements of 25' on all sides, rear and front. The Wildland Urban Interface for fire protection was addressed during the permitting process at the staff level and Permit #6177 was issued and was inspected for water proofing on August 18, 2011. The building department will follow through

writing a letter for updating permit. **The staff granted approval of the Conditional Use Permit Extension for a single family dwelling for another year.**

C. Request permission for a single family dwelling within the OST-20 zone, Kannarra Mtn. access to Kolob Mtn. Sam Larson, applicant. [Tax ID 1030-HV]

This is 2nd extension and the applicant previously met the requirements for the Conditional Use Permit by submitting a site plan, deeds of ownership, septic permit from the Southwest Utah Public Health Department (SUPHD), and a culinary water use from a private well showing quantity and quality. Single family dwellings are conditionally approved within the OST-20 zone, with this property containing a total of 360 acres. The property has also been setup under a conservation easement, so not more than 3 cabins could ever be built on this parcel of land. The property is accessed from a Kannarra Mountain Road, generally located northwest of the Kolob Mountain recreational area. The site plan meets all setback requirements of 25' on all sides, rear and front. The Wildland Urban Interface for fire protection would need to be addressed during the permitting process at the staff level. Permit #6184 was issued and last inspected on October 7, 2010 for framing (roof). The building department will send a letter on updating the permit, due to a lack of inspections this past year. **The staff granted approval of the Conditional Use Permit Extension for a single family dwelling for another one (1) year period.**

D. Request permission to build an accessory dwelling within a detached garage, located at 404 N Pinion Hills Drive, Pinion Hills - Phase 3, Lot 56. Dammeron Corp., applicant. [Tax ID PHS-3-56]

This is an automatic annual inspection and the applicant previously met the requirements for the Conditional Use Permit by submitting a site plan, deeds of ownership, sewer connection originally with the Dammeron Valley Corp, and a culinary water use from the Dammeron Valley Water Works. Accessory dwellings are conditionally approved within residential zones, with the accessory portion being less than 900 square feet. The property is accessed from the Dammeron Valley Dr West and Pinion Hills Drive generally located West of Dammeron Valley Homesteads. The site plan meets all setback requirements of 10', 10', and 25" on all sides, rear and front. The Wildland Urban Interface for fire protection would need to be addressed during the permitting process at the staff level. The Washington County Water Conservancy District has reviewed density and acknowledges that monthly fees are being paid. The final inspection was made on permit #6302 on May 16, 2012. **The staff approved the Conditional Use Permit for an accessory dwelling on a permanent basis.**

XIV. MINUTES. Consider approval of the minutes of the regular Planning Commission meeting held August 14, 2012

The commission reviewed the minutes.

Motion: Commissioner Everett MOVED to approve the Minutes of August 14, 2012. Commissioner Balen SECONDED. Chairman Wilson called for discussion on the motion. There was none and the motion carried with all five (5) Commissioners voting in favor.

XV. COUNTY COMMISSION ACTION REVIEW. Review of action taken by the County Commission on Planning Items; County initiated.

The planner reported on action taken by the County Commission on Planning Items on August 21, 2012, beginning at 4:00 pm.: (a) Review on Motocross and ATV Track within the OST-20 zone, containing 20 acres, generally located east of Hwy. 18 on North Baker Lake Rd. and 300 East in Central, Robert and Mary Houston, applicants and Gary Simonson, Agent; (b) Conditional use extension to construct and operate an asphalt plant, within the I-1 zone near Pintura, Sunroc/Russell Leslie, applicant; (c) Conditional use extension of a gravel crushing operation in the Pintura area of Washington County, Dana Truman/Sunroc, applicant; (d) Conditional use extension on an Ultra-marathon event, Red Mountain 50K, which begins west of Central and ends in Ivins on April 20, 2013, Red Mountain Running LLC/Jeremy Frehner, applicant; (e) Conditional use

extension for the Redrock Relay Race from Brian Head to SR-18 near Enterprise, Veyo, through St. George and other communities, then to SR-9, ending at Zion's, Saturday, September 8, 2012, within the unincorporated areas, Tim Collings, applicant; (f) Conditional use extension to locate a temporary batch plant and job site trailers within the OSC-20 zone, for the expansion to the Red Butte Substation on Forest Service land near Central, Schmidt Construction, applicant; and (g) Conditional use appeal on the GEM Mine within the OSC-20 zone on 11 acres of BLM Land near the Blake Lambing Grounds 5 miles west of Sunriver, Fred Johnson, agent.

XVI. COMMISSION & STAFF REPORTS. General reporting on various topics; County initiated.

The Planner stated there have been two applicants who has submitted Conditional Use Permit applications and those applicants have asked for a special meeting for the commission to review and act on those permits. She asked if the commissioners would be able to attend. Conditional Use Permit applications were discussed at length. The commissioners discussed and agreed to hold the special meeting on Friday, September 14, 2012 at 1:00 pm.

Eric Clarke introduced the newest Civil County Attorney, Jodie Borgeson.

The Planner advised the commissioners of the 3rd Annual Air Quality Summit will be held on Friday, September 21, 2012 from 9am -12 pm at the Washington City Community Center.

Motion was made by Commissioner Ford to adjourn the meeting at 3:45 p.m.

Doreen Bowers-Irons
Planning Secretary

Approved: 09 October 2012